

nessed by the entry taker, marked "Mistake," with the name of the enterer almost entirely erased. I do not think this would make it necessary for you to hold up the grant to * * *. The law says, section 1729 of The Revisal: "Upon *certificate* from the entry taker that the claimant has assigned his interest under the entry, a grant shall be issued in the name of the assignee."

This is not a certificate, but is what purports to be a transfer, witnessed and underscored by the entry taker.

It is true that * * * paid thirty-five dollars to the register of deeds, which was at that time the purchase price for 291 acres, and under this grant he can only get 241 acres; but since part of the tract has been heretofore granted, and you have notice of it, and for that reason can not grant it again, I am of the opinion, since the amount he paid to the register of deeds pays for the then purchase price of 241 acres, the law with regard to payment has been complied with.

For the reasons above stated I am of the opinion that you should issue to * * * grant for the tract covered by the certificate, excepting therefrom the part heretofore granted.

Very truly yours,

T. W. BICKETT,
Attorney-General.

By G. L. JONES, *Law Clerk.*

LANDS ENTERED—PRICE FOR—MARRIED WOMAN MAY ENTER.

June 14, 1909.

HON. J. BRYAN GRIMES, *Secretary of State, Raleigh, N. C.*

DEAR SIR:—Replying to yours enclosing letter from * * *, Register of Deeds of Dare County, I beg to advise that, in my opinion, lands that were entered prior to the enactment of chapter 447 of the Laws of 1909 do not come within the provisions of that chapter with reference to the payment of \$1.50. However, as section 1733 of The Revisal, which was in force at the time the lands were entered, provides that the Secretary of State may, in his discretion, charge a greater sum, that is, than fifty cents per acre, I assume that your office, after the enactment of the law of 1909, would not accept less than \$1.50 per acre, unless clearly convinced that that much can not be obtained.

In regard to junior entries I beg to advise that, in my opinion, these entries would become effective in the order in which they were made, after the expiration of the senior entry, and it would be the duty of the register to entertain them in accordance with the rule of priority.

A married woman can enter land. The Code says that "Any citizen of this State, and all persons who shall have come into the State with the *bona fide* intent of becoming residents and citizens thereof, shall